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CALIFORNIA LIFE AND HEALTH INSURANCE  
10 COMPANY

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12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

16 ARAM HOMAMPOUR, JOHN  
17 BARTELS, and JON NAKA on behalf of  
themselves and all others similarly situated,

18 Plaintiff,

19 v.

20 CALIFORNIA PHYSICIANS' SERVICE  
dba BLUE SHIELD OF CALIFORNIA,  
BLUE SHIELD OF CALIFORNIA LIFE  
AND HEALTH INSURANCE  
22 COMPANY,

23 Defendant.

No. 3:15-cv-05003-WHO

Hon. William H. Orrick

**STIPULATION AND ORDER TO  
CONTINUE THE JUNE 14, 2016 INITIAL  
CASE MANAGEMENT CONFERENCE  
AND SET BRIEFING SCHEDULE ON  
DEFENDANTS' MOTION TO DISMISS**

**Case Management Conference**

Date: June 14, 2016  
Time: 2:00 p.m.

Trial Date: None set

Action filed: October 30, 2015

1 Plaintiffs Aram Homampour (“Homampour”), John Bartels (“Bartels”) and Jon Naka  
 2 (“Naka”) (collectively “Plaintiffs”) and Defendants California Physicians’ Service dba Blue  
 3 Shield of California (“Blue Shield of California”) and Blue Shield of California Life and Health  
 4 Insurance Company (“Blue Shield Life”) (collectively “Defendants”) stipulate, pursuant to Civil  
 5 Local Rule 6-2, as follows:

6 1. Plaintiff Homampour filed his Complaint against Blue Shield Life on October 30,  
 7 2015 and served Blue Shield Life with the Complaint on November 13, 2015.

8 2. On November 2, 2015, this Court set an initial case management conference  
 9 (“CMC”) for February 2, 2016 at 2:00 p.m.

10 3. On December 1, 2015, Plaintiff Homampour and Blue Shield Life filed a  
 11 stipulation, pursuant to Local Rule 6-1(a), to extend the time for Blue Shield Life to respond to  
 12 the initial Complaint, to and including January 8, 2016.

13 4. On December 31, 2015, Plaintiff Homampour and Blue Shield Life filed a  
 14 stipulation to the filing of a First Amended Complaint (“FAC”) and to continue the initial case  
 15 management conference. (Dkt. No. 14.) On January 4, 2016, the Court entered its Order on the  
 16 stipulation. (Dkt. No. 15.) In the Order, the Court noted that, “[i]n the event [Blue Shield Life]  
 17 moves to dismiss the FAC, the Court will entertain a stipulation to hold the Case Management  
 18 Conference on the same date as the hearing on the motion.”

19 5. On January 15, 2016, Plaintiff Homampour filed his FAC, adding Plaintiff Bartels  
 20 and Naka and Defendant Blue Shield of California. (Dkt. No. 16.)

21 6. On January 21, 2016, the parties filed a stipulation to further continue the initial  
 22 case management conference to May 24, 2016, and to extend the time for Defendants to respond  
 23 to the FAC until April 22, 2016. (Dkt. No. 21.) The Court entered its Order on the stipulation on  
 24 January 25, 2016. (Dkt. No. 22.)

25 7. The Court thereafter advanced the Initial Case Management Conference to  
 26 May 17, 2016. (Dkt. No. 23.)

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1       8.     On April 14, 2016, the parties filed a stipulation regarding Plaintiffs' filing of a  
2 Second Amended Complaint ("SAC") and continuing the case management conference to  
3 June 14, 2016. (Dkt. No. 24.) The Court entered its Order on the stipulation on April 29, 2016.  
4 (Dkt. No. 25.)

5       9.     Plaintiffs filed their Second Amended Complaint on May 6, 2016. Pursuant to the  
6 parties' stipulation, Defendants' response to the Second Amended Complaint is due on May 27,  
7 2016.

8       10.   The parties met and conferred by telephone on May 23, 2016. Defendants  
9 informed Plaintiffs that they intend to file a motion to dismiss the Second Amended Complaint.  
10 The parties also discussed the upcoming initial case management conference.

11      11.   The parties agreed that Defendants' motion to dismiss will be heard on  
12 Wednesday, August 10, 2016, at 2:00 p.m., or a date convenient to the Court. The parties also  
13 agreed on the following briefing schedule for Defendants' motion to dismiss: Plaintiffs'  
14 opposition will be due on July 13, 2016, and Defendants' reply will be due on July 27, 2016.

15      12.   The parties also agreed that it would be in the interest of judicial economy to  
16 continue the June 14, 2016 case management conference to the August 10, 2016 hearing on the  
17 motion to dismiss.

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## **SO STIPULATED.**

Dated: May 26, 2016

MANATT, PHELPS & PHILLIPS, LLP

By: /s/ Ileana M. Hernandez

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John LeBlanc  
Ileana M. Hernandez  
Leah R. Adams  
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COMPANY

Dated: May 26, 2016

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*Attorneys for Plaintiffs*  
ARAM HOMAMPOUR, JOHN  
BARTELS, and JON NAKA

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: May 27, 2016

Honorable William H. Orrick  
United States District Judge